

(continued)

FOR SALE, Allotments of LAND, near St. Jude's Foundation, terms liberal. S. H. Pearce, Roadside.

KOGARAH.—For positive sale, in order to close trust account, a piece of portion of the land known as the late Father Therry's, having an area of 1,000 feet to a good road, by a depth of 244 feet. Price is 10s. (bidding and sixpence) per foot. Title, Crown grant. Terms, half cash, balance in twelve months. The land is well elevated, and easy of access, being not more than twenty minutes' walk from 'bus stand and Public school. Plan may be seen by applying to

FRANCIS FAHEY, King-street.

FOR SALE, choice Block LAND, Durwood, 97 x 248 feet: best position, between rail and coast; title Torrens Act. Apply W. H. FLEMING, Fetti's Road.

SPRINGHEAD VILLA, Boulevard, Petersham, for SALE. Apply on premises.

NORTH Shore, Milson's Point.—Building Blocks for SALE, £100 each. S. Graham, Vickery, Melbourne.

KOOK'S LANDING, BOTANY BAY.

These extensive premises, together with 250 ACRES of land (under control of the entire land frontage to the Government Reserve of 1500 acres), are to be LET by TENDER for 21 years, the first year's rent payable in advance.

Tenders to be sent in to the undersigned not later than 14th January, 1874.

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For further particulars see extended advertisement in

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CAVENDISH HOUSE for SALE, Cavendish-street, South Kingston, New South Wales. Rooms, hall, balcony, pantry, gas, washhouse, back entrance, and every convenience: splendid view; near bus and station. G. Selous, agent.

COTTAGES, Homes, and Allotments for private SALE. J. G. READ, 149, George-street.

FOR SALE, 2 substantially-built 4-roomed HOUSES, balcony and garden in front, verandah at rear. Apply to JOHN MURPHY, 16, Chester-street, Surry Hills, between Crown and Bourke streets.

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PAPERHANGINGS, Paints, Oils, Colours, Stencils & glass. Cheapest house in town. H. Groth, 344, Glen St.

EDDAR, all sizes: Turnery, every pattern. STEWART, Colar Yard, Pitt-street.

GODFREET & SMITH, Timber and Galvanized Iron Merchants, 433, George-street, near Bathurst-street. 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 8

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DECEMBER 20, 1877.

case out of his counsel's hands by telling his own story, and the stability maintained at the Old Bailey by the advocates of the Stauntons is hardly more than forty years old.

It is not, however, in cases like the *Pengo* case that the influence of a ruler is most fully felt in its severity. It is open to a controversialist who thinks, like many Englishmen, that a prisoner should have as much as he can of the royal pardon, to say that if the Stauntons had been interrogated they would have been as much harm as good. The persons under trial who are really and most deeply wronged by the existing system are the poor and the ignorant men indicted for petty or commonplace offences. They are not counsel to assist them either in cross-examining the witnesses for the prosecution or in stating the case for the defence; but they are left to their own devices, grown up since 1836 close to them to be tried, and as if they had maintained the powers of skilled advocates. Everybody who has attended a criminal trial, and seen the language and manner of a passage in a trial supported by Sir James Stephen.

Judge: Do you wish to ask the witness any questions?

Prisoner: Yes, sir. I ask him what time I was walking down the lane with two other men, for I'd heard

Judge: No, no; that's your defence. Ask him questions. You may ask him what you please to the jury afterwards; but now you must confine your questions to the facts.

In other words, an ignorant, uneducated man is asked to strip himself of his nature. He is required to state the irrelevant from the irrelevant, and to throw the relevant parts of his evidence into a distinct and distinct question. He is expected to remember the answer, to judge how it affects his own case, and to be able to refer to his defence and to meet the objections to it in a coherent and consistent manner. It gives it as his experience that, after three or four such interrogations by the judge, the prisoner is not unfrequently reduced to such perplexity and forgetfulness, and thinks it respectful to question the judge, and to ask the exact way in which such gross injustice should be remedied is not one on which we propose to enter at present. It is the time when his General View of the Criminal Law, and his General View of the Law of Evidence, are being put to him, and when objections to letting prisoners be interrogated by the judge, and preferred having them cross-examined by a counsel prosecuting counsel. No doubt, as he observes, it is a hard, and any body who has seen a prisoner being examined an unwilling witness. But we are inclined, on the whole, to think that the habit of consideration, and indeed of tenderness, to prisoners before conviction is not so common as it should be, and that it is now be safely trusted with the power of interrogation; and, indeed, no greater kindness can be imagined to an innocent prisoner put upon his own defence than to have a counsel to assist him in cross-examining out the points in which the evidence bears hardly against him, and to request him to explain contradictions or obscurities in his story.

the system of judicial interrogation in France is in fact the spirit and demeanour of a

circumstances grow almost entirely out of his theory of judicial administration. The jury is a mere excrescence on French judicial procedure, borrowed from accretions and accretions. The jury, says Sir James Stephen insists that the object of French procedure is not to establish the guilt of an accused person to the satisfaction of twelve men, but to bring to the public eye the sort of crime which is the cause of his criminality or to a revelation of facts from which it may be directly inferred. This view of French procedure is strongly illustrated by the novels of Gautier, in which the jury is the marvellous screen, set by acute police officers for unvary criminals, and which are said to have been the cause of the French Revolution, perpetrated in France in the name of the jury. The truth is, that the presiding judge at a French criminal trial believes that there is the strongest evidence of the complicity of the jury if the accused were not, the officers of the Government would never have put him on his trial; and there is just enough foundation for this view to explain, if not to excuse, the French procedure of the jury. The French judges indulge. On the other hand, though a cynical English judge may now and then express an opinion that no injustice would be done if all prisoners were tried by a jury of twelve members of the Bench as a body are with a system which gives almost ludicrously ample chances of acquittal to the accused. For more fully than an English judge in interrogating a witness, he suggests to him a plausible explanation than that

assumption has in fact been made of the
entrusted with the administration of just

[illegible]

to establish his claims upon our trust. forbidding as the path may look, he make

[illegible]

successive steps which Science has
advances. Everything is made clear

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CHRISTMAS and HOLIDAYS
 invited to call and view our **LARGE AND**
VARIOUS STOCK of
DRAWING-Room, DINING-ROOM,
BEDROOM FURNITURE,
 very requisite for the complete furnishing of a
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Drawing-room Suites,
 fashionable designs,
 from £10 10s to £35.

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